

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 2

January 25, 2007

SUBJECT: NARCOTICS REPORT, FORM 03.19.00 - REVISED

PURPOSE: This Order revises the procedures for the completion and handling of the Narcotics Report, Form 03.19.00, as outlined in Department Manual Sections 4/258.14, 4/258.17 and 5/3.19. In addition, this Order establishes uniform procedures for investigating, reporting, reviewing and tracking of the Narcotics Report, Form 03.19.00.

PROCEDURE:

I. NARCOTICS REPORT, FORM 03.19.00 - REVISED. The Narcotics Report, Form 03.19.00, has been revised to include the following:

- * Check boxes have been added to indicate whether the narcotics activity was reported anonymously; if the activity being reported is gang related; and, if children or dogs were present at the location;
- * A fill-in box has been added to record the incident number, if applicable;
- * A fill-in box has been added to indicate the disposition of the call for service, if applicable;
- * Signature boxes have been added for the supervisor approving, and the supervisor assigning the investigation;
- * A check box denoting if the arrestee is a gang member has replaced the Disposition of Booking Charge box; and,
- * The Formal, Chronic and Informal classification check boxes have been eliminated.

A. Use of Form. This form shall be used to report the existence of narcotics activity reported to, or observed by officers, except when an arrest is made at the time of the violation. Additionally, this form shall be used to report narcotics conditions outside the City, which come to the attention of officers of this Department.

B. Distribution.

- 1 - Original, forwarded to Investigative Support Detail (ISD), Narcotics Division (ND).

1 - Officer in Charge (OIC), concerned Area Gang Impact Team (GIT).

2 - Total

Note: All employees involved in the handling of the Narcotics Report shall be responsible for the security of the information contained within the report.

II. EMPLOYEE'S RESPONSIBILITIES.

A. Narcotics activity in progress and in plain view.

Any Department employee receiving information regarding the existence of narcotics activity from any source shall determine if the narcotics activity is in progress and in plain view. If these criteria are met, Communications Division shall be notified, and a call for service shall be generated. A Narcotics Report is not required.

B. Narcotics activity not in progress. When a Department employee receives information from a Person Reporting (PR), regarding narcotics activity that is not in progress, not specific as to the location or the suspects involved, the employee may confer with Narcotics Enforcement Detail (NED) and/or the concerned Area Senior Lead Officer (SLO) for proper handling.

Note: Some investigations may require a notification to the concerned Area (NED), OIC (e.g., chronic location).

C. Narcotics activity with a specific suspect and/or not in progress or plain view. If the reported narcotic activity involves information on a specific suspect and/or location and the illegal activity is not in progress or in plain view, then a Narcotics Report shall be completed. The reporting employee may deviate from the above procedure, with supervisory approval, if the information provided indicates that the investigation would best be handled by the concerned Area NED. In those cases, a supervisor shall explain in their Sergeant's Daily Report, Form 15.48.00, the reason for the deviation.

Note: If the reported narcotics information is occurring outside the City, the officer shall provide contact information (e.g., the telephone number of the concerned police department) to the reporting party. If the reporting party requests completion of a Narcotics Report, the officer shall complete the report and submit it to the concerned supervisor for approval.

III. SUPERVISOR'S RESPONSIBILITIES. The supervisor reviewing the Narcotics Report shall review it for completeness prior to approving the report.

When a reporting officer deviates from the procedure of generating a call for service from Communications Division because the investigation would be beyond the resources of the concerned Area Patrol Division, the supervisor reviewing the Narcotics Report shall:

- * Review the circumstances of the narcotics activity;
- * Determine if the narcotics activity should be investigated by the concerned Area NED;
- * Ensure that the Brief Description of Complaint section of the form is completed. Include the reason why a Narcotics Report was initiated;
- * Immediately forward the original Narcotics Report to ISD; and,
- * Forward a copy of the Narcotics Report to the GIT OIC of the concerned Area.

IV. AREA COMMANDING OFFICER'S RESPONSIBILITY. The Area commanding officer shall ensure that each Narcotics Report assigned to their Area is investigated, tracked and closed-out as outlined in Section 5/3.19, of the Department Manual.

V. NARCOTICS DIVISION'S RESPONSIBILITIES. Investigative Support Detail, Narcotics Division, is the Department entity responsible for the review, distribution, and tracking of Narcotics Reports. Upon receipt of a Narcotics Report, ISD shall:

- * Determine which Department entity is handling the investigation;
- * Review each Narcotics Report for completeness and assign a Division of Records (DR) number;

- * Enter all applicable information from the Narcotics Report into the Narcotics Activity Reporting Control System (NARCS); and,
- * Retain a copy of the Narcotics Report, and forward the original to the concerned Area GIT OIC.

Note: Any additional Narcotics Reports completed for the same location that include additional information shall be marked "Follow-up", and shall have the same DR number as the original Narcotics Report.

VI. GANG IMPACT TEAM, OFFICER IN CHARGE, RESPONSIBILITIES.

A GIT OIC, after receiving a Narcotics Report shall:

- * Immediately review the Narcotics Report and forward it to the NED OIC for investigation;
- * Review and approve each completed Narcotics Report; and,
- * Forward the completed Narcotics Report to ISD.

VII. NARCOTICS ENFORCEMENT DETAIL, OFFICER IN CHARGE, RESPONSIBILITIES. After receiving a Narcotics Report, the NED OIC shall:

- * Immediately review and assign the Narcotics Report for investigation;
- * Ensure that an entry in NARCS indicates the investigating officer's name and the due date;
- * After the conclusion of the investigation, review the completed Narcotics Report;
- * Ensure that NARCS is updated with any additional information from the completed Narcotics Report; and,
- * Forward the completed Narcotics Report to the GIT OIC, who will then forward it to ISD.

VIII. NARCOTICS ENFORCEMENT DETAIL OFFICER'S RESPONSIBILITIES.

After receiving a Narcotics Report for investigation, the NED investigating officer shall:

- * When known, conduct an interview of the complainant and witnesses, as soon as practicable;
- * Complete the Investigator's Checklist Section on the Narcotics Report;
- * Identify all known suspects, and record pertinent information about them;

- * List the date and time of each investigation at the concerned location, and the work hours expended on each narcotics investigation;
- * Conduct a minimum of three field investigations to determine if the narcotics activity is taking place, and if those investigations fail to substantiate the activity, close-out the investigation as Unfounded;
- * Complete an additional Narcotics Report (follow-up) if the original investigation is not completed within 45 calendar days after being assigned;
- * Upon completion of the investigation, record the close-out classification; and,
- * Obtain supervisory review and approval for the completed Narcotics Report.

IX. NARCOTICS REPORT INVESTIGATION TIME LIMITS.

Investigating officers shall have 45 calendar days from the date the Narcotics Report is assigned to them to complete and close-out the investigation. When a narcotics investigation is not closed out within 45 calendar days after being assigned, the investigating officer shall complete an additional Narcotics Report(follow-up), using the same DR number, and comply with those procedures outlined in Department Manual Section 5/3.19-12. The concerned Area GIT OIC may grant one additional 45 calendar day extension.

Note: Extensions may be granted for particularly complex narcotics investigations (i.e., investigations requiring extended surveillance, resources, etc.), and investigations that are unavoidably delayed (i.e., due to higher priority investigations, Department Mobilizations, or Unusual Occurrences, etc.).

- X. MASTER 3.19 - DEFINED.** A Master 3.19 narcotics investigation may be initiated at a specific location or area when a chronic narcotic problem exists, and/or numerous complaints have been received over an extended period of time. A Master 3.19 is an alternative to conducting several separate narcotics investigations regarding the same ongoing, unresolved narcotics activity. A Master 3.19 investigation is maintained throughout the year, and closed out by December 31 of the same year. A Master 3.19 may be reopened on January 1, with a current year DR number.

Note: Approval for a Master 3.19 shall be obtained from the Commanding Officer, ND.

XI. NARCOTICS REPORT, CLOSE-OUT CLASSIFICATIONS. Upon completion of the investigation, the Narcotics Report shall be closed-out using one of the following close-out classification categories:

A. Arrest. This category is used when at least one suspect is arrested for a narcotic-related offense that is related to information provided on the Narcotics Report.

Note: The Arrest Report shall not refer directly to the Narcotics Report. Such references may result in public exposure of these reports during adjudication, and thereby jeopardize their confidentiality. It is sufficient to report the source of activity as a complained of narcotics condition or location.

B. Unfounded. This category is used when the investigation revealed that the suspect or location is not involved in the alleged narcotic activity. This category shall also be used when there is no such address and/or suspect at the location.

C. Abatement. This category is used when the complained of location has been abated or assigned to the Narcotics Abatement Unit, ND. This category requires that a Nuisance Abatement Report, Form 03.19.01, be initiated.

D. Other. This category is used when the investigating officer is unable to substantiate the alleged narcotic activity, and at least one suspect is arrested from that location for a non-narcotic offense. It is also used when the suspect has moved to another location and/or jurisdiction.

E. Investigative Support Detail. This category is used when the Narcotics Report is closed by ISD for administrative reasons (e.g., reporting party verified as mentally ill, the case is active with another agency, a duplicate Narcotics Report exists from the same complainant, etc.).

F. Insufficient Information. This category is used when the information provided in the Narcotics Report is vague, and/or incomplete, and the complainant wishes to remain anonymous, and/or is unable to provide any additional information.

Note: When known, prior to close-out, the investigator shall re-interview the PR, and provide them with the results of the investigation. The investigator shall also obtain and record the PR's response to the narcotics investigation on the Narcotics Report. When applicable, contact the property owner(s), inform them of the problem and request their assistance during any future investigations.

XII. SECURITY OF NARCOTICS REPORT INFORMATION. Information contained in a Narcotics Report is protected under Section 1040 of the Evidence Code. Information on a Narcotics Report shall not be released for distribution, or incorporated in any other police report. Due to the sensitive nature of narcotics investigations, all information contained in the Narcotics Report is confidential, and shall only be released on a need-to-know and right-to-know basis.

Information regarding the addresses of Narcotics Report locations shall be afforded the highest level of security (e.g., the information shall not be released to non-Department sources). Information regarding the identity of reporting parties shall not be released. However, limited information from the Narcotics Report (e.g., the number of Narcotics Reports by reporting district or Areas) may be released for crime analysis.

FORM AVAILABILITY: The revised Narcotics Report, Form 03.19.00, will be available for ordering from the Department of General Services, Distribution Center, in approximately 90 days, and will be placed on the Department's Local Area Network. A copy of the revised form is attached for duplication and immediate use.

AMENDMENTS: This Order amends Sections 4/258.14, 4/258.17, and 5/3.19.0 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Detective Bureau, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

Attachment

DISTRIBUTION "A"